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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,104	07/20/2001	Tetsushi Kokubo	450100-03353	1695
20999	7590	06/08/2006	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			HARRIS, CHANDA L	
			ART UNIT	PAPER NUMBER
			3715	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,104

Applicant(s)

KOKUBO ET AL.

Examiner

Chanda L. Harris

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) 1,8-31 and 38-53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7 and 32-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group II (Claims 2-7 and 32-37) in the reply filed on 3/17/06 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2, 4, 6, and 32-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackson et al. (US 5,990,941).

1. [Claims 2,4,6,32,34,36]: Regarding Claims 2, 4, 6, 32, 34, and 36, Jackson discloses input means for inputting image data via a network in Col.9: 49-56:

Once the data file is correlated, the images can be linked together with hot spots and made to correspond with special sound effects, trigger the viewing of a motion picture, cause certain text to be displayed or graphics effects generated to create a multimedia title. The title having been created, the title is compiled. Then, the title can be distributed via CDROM, electronic distribution in real time or via data network.

Jackson discloses motion data generating means for generating motion data (i.e., still or full motion video) for controlling motion corresponding to an image in accordance with said image data input via said input in Col.10: 15-19:

Art Unit: 3715

The delivery of these image data, still or full motion video, can be accomplished via broadcast, cable, digital network such as Internet, or on transportable media such as CD-ROM, videotape, or laserdisc from a remote site 12 to a local site 14.

Jackson discloses ID generating means for generating an ID corresponding to a set of the image data input via said input means and the motion data generated by said motion data generating means in Col.9: 47-49:

Image files are then identified for hotspot correlation with names and description.

Jackson discloses transmitting means for transmitting the image data, the motion data, and the ID data, in a mutually related fashion, to another apparatus via said network (e.g., broadcast, cable, or digital network). See Col.10: 15-19.

2. [Claims 33,35,37]: Regarding Claims 33, 35, and 37, Jackson discloses charging means (i.e., billing computer) for charging in accordance with the charge data input via said input means. See Col.11: 41-42.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson in view of Alloul et al. (US 6,032,130).

[Claims 3,5,7]: Regarding Claims 3,5, and 7, Jackson does not disclose expressly charging means for charging a total fee including a fee (i.e., transaction fee) for use of said information processing apparatus and a fee for use of said another apparatus (i.e., CD-ROM) and data generating means for generating data indicating the amount of fee for use of said another apparatus, included in said total fee charged by said charging means. However, Alloul teaches such in Col.2: 19-26, 32-36. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into Jackson's invention, in light of the teaching of Alloul, in order to generate revenue.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

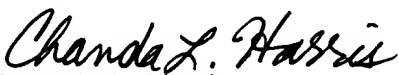
- Darago et al. (US 6,170,014)
 - digitized images, motion paths, computer network
- Iwamura (US 6,144,946)
 - real-time motion, image, network
- Vaudreuil (US 5,621,727)
 - full-motion video, images, network
- Cohn et al. (US 5,740,231)
 - full-motion video, images, network

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 571-272-4448. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Chanda L. Harris
Primary Examiner
Art Unit 3715